

EDWARD H. KUBO, JR. 2499
United States Attorney
District of Hawaii

THOMAS MUEHLECK 3591
Assistant U.S. Attorney
Room 6100, PJKK Federal Building
300 Ala Moana Boulevard
Honolulu, Hawaii 96850
Telephone: (808) 541-2850
Facsimile: (808) 541-2958
Tom.Muehleck@usdoj.gov

Attorneys for Plaintiff
UNITED STATES OF AMERICA

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAII

UNITED STATES OF AMERICA,) CR. NO. 04-00399 DAE
)
Plaintiff,) ORDER GRANTING DEFENDANT'S ORAL
) MOTION TO CONTINUE TRIAL AND
vs.) EXCLUDING TIME; CERTIFICATE
) OF SERVICE
)
GLENN P. FERNANDEZ, (03),)	
ANTONIO PANLASIGUI, JR., (04),)	
aka "Tony,")	
DAWN R. GALARITA, (06),)	
TIARE M. SMITH, (07),)	
)
Defendants.)	
)
)

ORDER GRANTING DEFENDANT'S ORAL MOTION
TO CONTINUE TRIAL AND EXCLUDING TIME

On January 19, 2006, defendants appeared for arraignment and plea to the superseding indictment returned on January 12, 2006. Trial had already been scheduled for

January 24, 2006. The defendant, Antonio Panlasigui, Jr., aka "Tony," through counsel, orally moved to exercise his right under Title 18, United States Code, Section 3161(c)(2) to continue the trial thirty days.

Assistant United States Attorney Thomas Muehleck appeared for the United States. Counsel for defendant Dawn R. Galarita joined in the request for continuance. Counsel for defendant Smith did object to the continuance. William Harrison made a special appearance on behalf of defendant Fernandez and advised that the defendant was negotiating a plea agreement.

The Court, upon consideration of the arguments of counsel, and in order to ensure continuity of counsel for the United States and to preserve defendant Panlasigui's right to continue trial for 30 days, continues trial from January 24, 2006 to March 7, 2006.

The Court finds that the ends of justice served by granting defendant Panlasigui's request to continue outweigh the best interest of the public and the defendants in a speedy trial and that failure to grant a continuance would deny the United States continuity of counsel and defendant Panlasigui adequate time to prepare. Therefore, the time from January 24, 2006 to and including March 7, 2006, is excluded from computation under the Speedy Trial Act. A final pretrial conference will be held before Magistrate Kevin S.C. Chang at 10:00 a.m.,

February 6, 2006.

DATED AT HONOLULU, HAWAI'I, January 27, 2006.



Leslie E. Kobayashi

Leslie E. Kobayashi
United States Magistrate Judge

United States v. Glenn P. Fernandez, et al.

Cr. No. 04-00399 DAE

Order Granting Defendant's Oral Motion
to Continue Trial and Excluding Time

CERTIFICATE OF SERVICE

I hereby certify that, on the dates and by the methods of service noted below, a true and correct copy of the foregoing was served on the following at their last known addresses:

Served by First Class Mail:

1. Rustam Barbee, Esq. January 24, 2006

1188 Bishop St., Suite 2606
Honolulu, HI 96813

Attorney for Defendant
GLENN P. FERNANDEZ

2. William A. Harrison, Esq. January 24, 2006

841 Bishop St., Suite 800
Honolulu, HI 96813

Attorney for Defendant
ANTONIO PANLASIGUI, JR.

3. Clayton K. Kimoto, Esq. January 24, 2006

733 Bishop St., Suite 2302
Honolulu, HI 96813

Attorney for Defendant
DAWN R. GALARITA

4. Birney B. Bervar, Esq. January 24, 2006

1001 Bishop St., Suite 1400
Honolulu, HI 96813

Attorney for Defendant
TIARE M. SMITH

/s/ Rowena N. Kang